IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 6578 OF 2005

Shri Ramakant Ramchandra Mhatre ..Petitioner

Versus

Shri Ramdas Janardan Patil & Ors. ..Respondents.

Mr. A.P. Rege for the Petitioner.
Mr. R.S. Datar for the Respondents.

CORAM : S. A. BOBDE, J.
DATED : 24TH OCTOBER, 2005.

P.C.:

1. Rule returnable forthwith. Mr. Datar, Advocate for the Respondents appears and waives service of Rule. Heard by consent.

2. This petition is directed against the order, rejecting the permission to the petitioner to have the disputed agreement examined by a hand writing expert on the ground of delay.

3. Admittedly, this application was made after the defendant denied the signature on the document.

4. Having regard to the fact that the document is crucial and its authenticity needs to be verified and

it is in the custody of the court, it would be appropriate in the interest of justice to allow this petition with a direction to the court to send the document for examination by a hand writing expert.

5. The court is directed to make a time bound order, directing the expert to submit his opinion.

6. Rule is made absolute in the above terms.

DT. 24.10.05 (S.A.BOBDE,J)

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